

REMARKS

In response to the above-identified Office Action, Applicant seeks reconsideration thereof. In this response, Applicant amends claim 15. Applicant does not cancel or add any new claims. Accordingly, claims 1-9, 11-13 and 15 are pending.

I. Claims Rejected Under 35 U.S.C. §102(b)

The Patent Office rejects Claims 1, 5, and 15 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,619,706 issued to Young (“Young”). Applicant respectfully traverses the rejection of claims 1 and 5, and amends claim 15.

To anticipate a claim, the relied upon reference must disclose every limitation of the claim. Among other elements, independent claim 1 defines a method comprising sending interrupt controller initializing data to a first interrupt controller and re-routing the interrupt controller initializing data to a second interrupt controller.

In the Response to Arguments section, the Patent Office states:

The applicant argued that the amended claims as amended clarify “the initializing data being sent and rerouted is initializing data for an interrupt controller”. This feature is not found in the amended claims. The amended claims do not disclose the initializing data initializing for an interrupt controller. Therefore, this argument is moot.

Applicant vehemently disagrees with the Patent Office’s response to Applicant’s argument. Applicant invites the Patent Office to revisit claim 1 and claim 5. These claims each recite, “sending interrupt controller initializing data to a first interrupt controller” and “re-routing the interrupt controller initializing data to a second interrupt controller”. Claim 1, lines 2-3; claim 5, lines 4-5. Applicant does not understand the position of the Patent Office alleging that these claims do not claim the features of sending and re-routing initializing data for an interrupt controller when each claim clearly recites interrupt controller initializing data. Applicant respectfully submits that this language clearly recites initializing data for an interrupt controller as Applicant discussed Applicant’s Response to Office Action filed on August 4, 2003. Therefore, Applicant’s argument is not moot and Applicant will re-visit this argument.

In making the rejection of claim 1, the Patent Office characterizes Young as showing “a method and system that includes the use of two different and separate interrupt controllers which receive two different interrupt requests that transfer initializing data and, when needed, re-routes an interrupt request from one controller to other interrupt controller [sic] in order for the second interrupt controller to service the first type of interrupt.” Paper No. 12, page 2 (citing Young, col. 7 and claim 1). To reiterate, the Patent Office has not indicated and Applicant has been unable to discern any part of Young that teaches sending and re-routing interrupt controller initializing data to another interrupt controller. Rather, Young discloses sending initializing data for peripheral devices (display devices, keyboard controller, cursor control devices and mass storage devices). Young, col. 5, lines 10-14. Thus, Young fails to teach sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller.

The failure of Young to teach each of the elements of claim 1 is fatal to the anticipation rejection. Therefore, claim 1 is not anticipated by Young. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 1.

Regarding the rejection of claim 5, among other elements, claim 5 includes the elements of “sending interrupt controller initializing data to a first interrupt controller” and “re-routing the interrupt controller initializing data to a second interrupt controller” similar to independent claim 1. Therefore, the discussion above regarding Young failing to teach sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller is equally applicable to claim 5. Therefore, Young fails to teach each of the elements of claim 5.

The failure of Young to teach each of the elements of claim 5 is fatal to the anticipation rejection. Therefore, claim 5 is not anticipated by Young. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 5.

Regarding the rejection of claim 15, among other elements, amended claim 15 defines a system comprising means for sending interrupt controller initializing data to a first interrupt controller and means for re-routing interrupt controller initializing data to a second interrupt controller similar to claims 1 and 5.

Therefore, the discussion above regarding Young failing to teach sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller is equally applicable to claim 15. Therefore, Young fails to teach each of the elements of claim 15.

The failure of Young to teach each of the elements of claim 15 is fatal to the anticipation rejection. Therefore, claim 15 is not anticipated by Young. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 15.

II. Claims Rejected Under 35 U.S.C. §103(a)

The Patent Office rejects claims 2-4, 6-9, and 11-13 under 35 U.S.C. 103(a) as being obvious over Young in view of U.S. Patent No. 5,987,538 issued to Tavallaei, et al ("Tavallaei"). Applicant respectfully traverses the rejection.

To render a claim obvious, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art. Applicant respectfully submits claims 2-4 and 6-8 are not obvious over Young in view of Tavallaei since these references in combination fail to teach or suggest at least sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller.

Claims 2-4 and 6-8 depend from claims 1 and 5, respectively, and incorporate all of the limitations thereof. Therefore, Applicant respectfully submits the discussion above regarding Young failing to teach or suggest sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller is equally applicable to dependent claims 2-4 and 6-8. Thus, Young fails to teach or suggest each of the elements of claims 2-4 and 6-8. The Patent Office relies on Tavallaei to cure the defects of Young.

The Patent Office characterizes Tavallaei as showing "the use of programmable data entries, which provide information necessary to format an interrupt message or request." Paper No. 12, page 3 (citing Tavallaei, col. 7, line 56). The Patent Office does not cite Tavallaei as teaching or suggesting sending interrupt controller initializing data and re-routing the interrupt

controller initializing data to another interrupt controller. Moreover, in reviewing Tavallaei, Applicant cannot find any sections of Tavallaei, that teach or suggest sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller. Therefore, the combination of Young and Tavallaei fails to teach or suggest each of the limitations of claims 2-4 and 6-8.

The failure of Young and Tavallaei to teach or suggest each of the elements of claims 2-4 and 6-8 is fatal to the rejection. Therefore, claims 2-4 and 6-8 are not obvious over Young in view of Tavallaei. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 2-4 and 6-8.

Regarding the rejection of claim 9, among other limitations, claim 9 defines a system comprising instructions for sending interrupt controller initializing data to a first interrupt controller and instructions for re-routing interrupt controller initializing data to a second interrupt controller similar to claims 1 and 5. Therefore, Applicant respectfully submits the discussion above regarding Young failing to teach or suggest each of the elements of claims 1 and 5 is equally applicable to claim 9. Thus, Young fails to teach or suggest each of the elements of claim 9. The Patent Office relies on Tavallaei to cure the defects of Young.

The Patent Office characterizes Tavallaei as showing “the use of programmable data entries, which provide information necessary to format an interrupt message or request.” Paper No. 12, page 3 (citing Tavallaei, col. 7, line 56). As discussed above, Patent Office does not cite Tavallaei as teaching or suggesting sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller. Moreover, in reviewing Tavallaei, Applicant cannot find any sections of Tavallaei that teach or suggest sending interrupt controller initializing data and re-routing the interrupt controller initializing data to another interrupt controller. Therefore, the combination of Young and Tavallaei fails to teach or suggest each of the elements of claim 9.

The failure of Young and Tavallaei to teach or suggest each of the elements of claim 9 is fatal to the obviousness rejection. Therefore, claim 9 is not obvious over Young in view of Tavallaei. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 9.

Claims 11-13 depend from claim 9 and contain all of the limitations thereof. Therefore, claims 11-13 are not obvious over Young in view of Tavallaei at least for the same reasons as claim 9. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 11-13.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Patent Office believes that a telephone conference would be useful in moving the application forward to allowance, the Patent Office is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Nadya Gordon 11/7/03
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